

**Remarks**

The Applicant respectfully requests reconsideration of the present U.S. Patent application as amended herein. Claims 1 and 9 have been cancelled. Claims 2, 4-7, 10, 12, 13, 15, and 16 have been amended. Claims 17-20 have been allowed. No claims have been added or withdrawn. Thus, claims 2-8 and 10-20 remain pending in the application.

Claim Objections

Claims 6 and 7 were objected to for informalities related to antecedent basis. In response, the Applicant has amended claims 6 and 7. Thus, the Applicant respectfully submits that the informalities have been corrected and requests that the objections to claims 6 and 7 be withdrawn.

Claim Rejections § 112

Claim 8 was rejected under 35 U.S.C. 112, second paragraph, for lacking antecedent bases. In particular, the Office action states that the phrase “the binary number” in line 3 of claim 8 lacks antecedent basis. The Applicant respectfully notes that claim 8 depends from claim 7 which, in turn, depends from claim 4. The Applicant respectfully submits that claim 4 provides antecedent basis because claim 4 introduces the claim term “a binary number.” Thus, the Applicant requests that the rejection of claim 8 be withdrawn.

Priority

The Office action stated that the Applicant's claim for the benefit of priority did not comply with one or more of the conditions for receiving the benefit of priority. In particular, the Office action stated that the later-filed application "must be an application for a patent for an invention which is also disclosed in the prior application. The Applicant respectfully submits that the prior filed application, 60/307,542 does adequately support and enable the subject matter claimed in the instant application.

Amended claim 4 recites "determining a binary number corresponding to a priority of the selected packet, wherein the binary number comprises N digits" and "contending for packet transmission, wherein a period of contention lasts N slot intervals." FIG. 4 of 60/307,542 (and the related description) describes determining a binary number corresponding to a priority (e.g., a two bit priority value) and contending for packet transmission during a contention period that lasts for a number of slots that corresponds to the number of bits in the priority value (e.g., two bits). For at least the above state reasons, the Applicant respectfully submits that 60/307,542 adequately supports and enables the subject matter claimed in the instant application.

Allowable Subject Matter

Claims 17-20 were allowed.

Claims 4, 12, 14-16 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 4 and 12 were amended

to include all of the limitations of the base claim and any intervening claims. Claims 14 and 16 depend (directly or indirectly) from allowable claim 12. Claim 15 depends from allowable claim 4. For at least the reason that dependent claims include the limitations of the claims from which they depend, the Applicant respectfully submits that claims 14-16 are allowable.

Claims 2-3, 8, 10-11 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, and to include all of the limitations of the base claim and any intervening claims. Claims 2-3 and 8 depend (directly or indirectly) from allowable claim 4. Claims 10-11 depend (directly or indirectly) from allowable claim 12. For at least the reason that dependent claims include the limitations of the claims from which they depend, the Applicant respectfully submits that claims 2-3, 8, 10-11 are allowable.

#### Claim Rejections § 103

Claims 1 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application No. 2002/0118683 (*Narayanna*) in view of U.S. Patent Application No. 2003/0035396 (*Haartsen*). Claims 1 and 9 have been cancelled without prejudice and, thus, the rejection of claims 1 and 9 is moot.

Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application No. 2002/0118683 (*Narayanna*) in view of U.S. Patent Application No. 2003/0035396 (*Haartsen*), in further view of U.S. Patent No. 5,440,553 issued to Widjaja (*Widjaja*). Amended claim 5 depends from allowable claim 4. For at least the

reason that dependent claims include the limitations of the claims from which they depend, the Applicant respectfully submits that claim 5 is allowable.

Claims 6 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application No. 2002/0118683 (*Narayanna*) in view of U.S. Patent Application No. 2003/0035396 (*Haartsen*), in further view of U.S. Patent No. 6,791,990 issued to Collins et al. (*Collins*). Amended claims 6 and 13, respectively, depend from allowable claims 4 and 12. For at least the reason that dependent claims include the limitations of the claims from which they depend, the Applicant respectfully submits that claims 6 and 13 are allowable.

Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application No. 2002/0118683 (*Narayanna*) in view of U.S. Patent Application No. 2003/0035396 (*Haartsen*), in further view of U.S. Patent No. 4,470,112 issued to Dimmick (*Dimmick*). Amended claim 7 depends from allowable claim 4. For at least the reason that dependent claims include the limitations of the claims from which they depend, the Applicant respectfully submits that claim 7 is allowable.

**Conclusion**

The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Respectfully submitted,

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